

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
 Jiann-Hsing Chen, et al

METHOD FOR PRODUCING A
REPLACEABLE FUSER MEMBER

Serial No. 10/662,913
Filed 15 September 2003

Group Art Unit: 1762

Confirmation No.: 1253

Examiner: Elena Tsoy

Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

Sir:

DECLARATION UNDER 37 C.F.R. §132

We, Jiann H. Chen and Joseph A. Pavlisko, declare that:

Jiann H. Chen graduated from National Tsing –Hua University (Taiwan) with a BS in Chemistry in 1975. Jiann H. Chen received a PhD in Polymer Chemistry from Temple University in 1985. Jiann H. Chen has been employed by Eastman Kodak Company from 1987 to the present and is currently a Research Associate; and

Joseph A. Pavlisko graduated from Rensselaer Polytechnic Institute with a BS in Chemistry in 1975. Joseph A. Pavlisko received a PhD in 1978 from University of Connecticut in Polymer Science. Joseph A. Pavlisko has been employed by Eastman Kodak Company from 1982 to the present and is currently a Manager Materials Development.

We are co-inventors of the above-captioned patent application, and of U.S. Patents 7,115,084 (“084”), 6,393,249 (“249”), 6,355,352 (“352”) and 6,429,249 (“249”); and

we are familiar with the Office Action dated 15 October 2007, and the reference cited therein.

The above-referenced pending application is directed to a method for producing a replaceable fuser roller member, the replaceable fuser member being adapted to be positioned on a machine mandrel in a fuser system of an electrophotographic machine to function as a roller in the electrophotographic machine, the method comprising:

- a) mounting a high temperature nickel sleeve having an inside and an outside on a mandrel having an outside, being configured to receive the sleeve over the outside of the mandrel and having a coefficient of thermal expansion equal to from about 80 to about 120 percent of the coefficient of thermal expansion of the sleeve in a temperature range from about 20 to about 325°C;
 - b) applying a coating of a primer comprising a silane coupling agent that contains epoxies to the outside of the sleeve;
 - c) applying a coating of a base cushion elastomer around the outside of the sleeve;
 - d) curing the base cushion elastomer;
 - e) machining the coating of the cured base cushion elastomer to a desired thickness;
 - f) applying a topcoat layer over the machined coating of the base cushion;
 - g) curing the topcoat layer at a temperature of 275°C or more;
- and
- h) removing the replaceable fuser member from the mandrel.

When the application was originally filed a Jepson type claim was included in the application. The claim is reproduced below:

“19. In a method for producing a replaceable fuser member, adapted to be positioned on a machine mandrel in a fuser system of a electrophotographic machine to function as a roller in the electrophotographic machine by mounting a high temperature nickel sleeve on a mandrel configured to receive the sleeve over the outside of the mandrel including the steps of: applying a coating of a primer comprising a silane coupling agent containing epoxies to the outside of the sleeve; applying a coating of the base cushion elastomer around the outside of the sleeve; curing the base cushion elastomer; machining the coating of the cured base

cushion elastomer to a desired thickness; applying a topcoat over the machine coating of the base cushion; curing the topcoat layer and removing the replaceable member from the mandrel; the improvement comprising: forming the mandrel of a metal having a coefficient of thermal expansion equal to from about 80 to about 120 percent of the coefficient of thermal expansion of the sleeve in a temperature range from about 20 to about 325°C.”

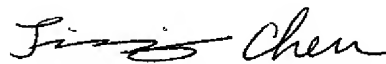
It is noted that both Jiann H. Chen and Joseph A. Pavlisko, the Declarants, are inventors in the pending application, issued ‘084 patent filed simultaneously herewith and the references cited in the Information Disclosure Statement for the instant application. Thus, the Declarants are an inventive entity in both the pending application and the applied reference.

Declarants seek to show herein, that the preamble of the Jepson format claim included in the instant application describes Declarants’ own work, and is not admitted prior art with respect to the instant application..

We, the Declarants, have worked on replaceable fuser members. This work included obtaining high temperature nickel sleeves, mounting the nickel sleeves on a mandrel configured to receive the sleeve over the outside of the mandrel, and applying primer coatings of a silane coupling agent that contains epoxies to the outer surface of the sleeves. An elastomer was then applied and cured on the outer surface of the sleeves. This elastomer was machined to a desired thickness. A topcoat layer was applied over the machined coating of the base cushion and cured. The nickel sleeve, elastomer and topcoat formed a replaceable fuser member sleeve that was removed from the mandrel. This work, as described herein and as referred to in the preamble of original claim 19 of the instant application, to the best of our knowledge was not publically disclosed before the filing of the instant application, and thus is not available as prior art with respect to the instant application.

The undersigned both declare further that all statements made herein of the undersigned's own knowledge are true and all statements made on information and belief are believed to be true. These statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 3-18-2009



Jiann H. Chen

Date: 18 March 09


Joseph A. Pavlisko